

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FIDELINA MOREL ROSARIO,

Plaintiff,

- against -

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

**ORDER OF SERVICE AND
SCHEDULING ORDER**

22 Civ. 4705 (PGG)

PAUL G. GARDEPHE, U.S.D.J.:

Plaintiff, appearing pro se, brings this action under 42 U.S.C. § 405(g), seeking court review of a decision of the Commissioner of the Social Security Administration. By order dated June 8, 2022, the Court granted Plaintiff's request to proceed without prepayment of fees, that is, in forma pauperis.

The Clerk of Court shall electronically notify the U.S. Attorney's Office for the Southern District of New York that this case has been filed.

In accordance with the Standing Order "Motions for Judgment on the Pleadings in Social Security Cases," 16 Misc. 0171 (Apr. 20, 2016):

- Within 90 days of the date of this order, the Commissioner must serve and file the Electronic Certified Administrative Record ("e-CAR"), which will constitute the Commissioner's answer, or otherwise move against the complaint.
- If the Commissioner wishes to file a motion for judgment on the pleadings, the Commissioner must do so within 60 days of the date on which the e-CAR was filed. The motion must contain a full recitation of the relevant facts and a full description of the underlying administrative proceeding.
- The plaintiff must file an answering brief within 60 days of the filing of the Commissioner's motion. The Commissioner may file a reply within 21 days thereafter.
- Memoranda in support of or in opposition to any dispositive motion may not exceed 25 pages in length; reply memoranda may not exceed ten pages in length. A party seeking to exceed these page limitations must apply to the Court for leave

to do so, with copies to all counsel, no fewer than seven days before the date on which the memorandum is due.

Dated: New York, New York
June 14, 2022

SO ORDERED.



Paul G. Gardephe
United States District Judge